



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

271 Cadman Plaza East
Brooklyn, New York 11201

July 18, 2008

By Hand & ECF

Edward J. M. Little, Esq.
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, NY 10004

Re: United States v. Ralph Cioffi
Criminal Docket No. 08-415 (FB)

Dear Mr. Little:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, please find enclosed with this letter discovery in the above-referenced matter. Please also consider this letter to be the government's request for reciprocal discovery.

1. Prior Criminal History

At this time, the government is unaware of any criminal history related to this defendant.

2. Defendant's Statements

The defendant made a number of voluntary statements to law enforcement agents on or about September 7, 2007. Enclosed with this letter is a copy of an FBI Form FD-302, dated September 10, 2007 detailing those statements. The government is aware of additional recorded statements made by the defendant, which relate to the charges in this Indictment. As set forth below, the government will produce these statements as soon as practicable.

3. Documents and Tangible Objects

The government is providing a disk with images of documents obtained in the course of its ongoing investigation. The documents being produced with this letter are contained in 20 folders on the enclosed disk and are detailed in the attached index.

Today's production does not include all of the documents in the government's possession, which we anticipate providing to the defense. As you are aware, many of the documents currently in the government's possession were produced by Bear Stearns & Co. Inc. These documents are numerous and were produced in a variety of media. We are in the process of organizing these documents and preparing them to be produced in an electronic format. Given the large number of documents, the process of confirming completeness and duplication is time consuming. We anticipate subsequent productions of documents as soon as practicable.

4. Brady Materials

The government is aware of and will comply with its obligation to produce exculpatory material or information under Brady v. Maryland, 373 U.S. 83 (1963).

The government will furnish the defense before trial with information or material regarding payments, promises of immunity, leniency, or preferential treatment, if any, made to prospective witnesses within the scope of Giglio v. United States, 405 U.S. 150 (1972) and Napue v. Illinois, 360 U.S. 264 (1959). The government will also furnish before trial materials discoverable pursuant to Title 18, United States Code, Section 3500.

The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, photographs, tapes, tangible objects, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results of reports or physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession, custody, or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial or which were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid any unnecessary delay, we request that you have copies of these statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony the defendant intends to use under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for those opinions, and the witnesses' qualifications.

If you have any questions or further requests, please do not hesitate to contact me.

Very truly yours,

BENTON J. CAMPBELL
United States Attorney

By:

A handwritten signature in black ink, reading "Patrick Sean Sinclair", written over a horizontal line.

Patrick Sean Sinclair
Assistant United States Attorney
(718) 254-6402

Enclosures

CC: Clerk of Court (via ECF) (w/o enclosures)